

This document contains the Connecticut regulations for the Tree Protection Examining Board (Arborists). This document was prepared by the State of Connecticut Department of Environmental Protection and is provided for the convenience of the reader. This is not the official version of the regulations. The official regulations are published by the State of Connecticut, Judicial Branch, Commission on Official Legal Publications in the Connecticut Law Journal. In the event there is inconsistency between this document and the regulations as published in the Connecticut Law Journal, the Connecticut Law Journal publication will serve as the official version.

Note: While the following regulations are technically in effect, they are currently under revision to change references from the Department of Consumer Protection to the Department of Environmental Protection.

Tree Protection Examining Board

Sec. 23-61a-1. Purpose

The tree protection examining board shall examine the qualifications of persons desiring to perform arboriculture as defined in Sec. 23-61a of the general statutes. The department issues licenses to qualified applicants and renews these licenses as provided in section 23-61a-4. The board may cause to be investigated complaints against licensees. The board maintains its headquarters at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106. Information on licensing requirements may be obtained from the department.

(Effective February 25, 1985)

Sec. 23-61a-1a. Definitions

(a) "Arboriculture," as used in sections 23-61a-1 through 23-61a-8, inclusive, of the Regulations of Connecticut State Agencies, means any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or diseases or curing these conditions by spraying or any other method.

(b) "Board" means the state tree protection examining board.

(c) "Department" means the department of consumer protection.

(Effective February 25, 1985)

Sec. 23-61a-2. Examinations

(a) Examinations for licensure shall be administered by the department, under the supervision of the board. Examinations for licensure to perform arboriculture will be held at least four times a year. The form of the examination, oral or written, or both, will be determined by the board.

(b) Each candidate for a license shall file an application with the department at least thirty days prior to the date set for the examination. Each applicant will be notified by mail as to the time, date and place of the exam. No person shall be admitted to an exam without presenting a notice of exam card which is the evidence that his or her application has been reviewed.

(c) A check or money order for ten dollars, made payable to "Treasurer-State of Connecticut," shall accompany each application. The fee shall be nonrefundable.

(d) If a candidate fails to pass an examination, he or she may subsequently reapply for examination and take any other examinations at dates specified by the board upon payment of the required fee for each examination.

(e) The board shall inform each candidate in writing of examination results. If the board finds a candidate unqualified, the board shall indicate areas of deficiency revealed by the examination.

(Effective February 25, 1985)

Sec. 23-61a-3. Licenses

(a) An initial license is valid from date of issue until the last day of February following, unless sooner suspended or revoked. Each initial license shall be renewed on or before the last day of February and each five years thereafter on or before the last day of February.

(b) For each organization, there shall be at least one licensed person actively engaged in supervisory duties for each ten unlicensed personnel actively engaged in arboriculture.

(c) No licensee shall be designated to be licensed on behalf of more than one organization engaged in arboriculture at any time.

(d) Each licensee shall notify the board of any change of address within thirty days of such change. If any licensee is licensed on behalf of an organization engaged in arboriculture that licensee shall notify the board of any change of the name of the organization or of any change of address within thirty days of such change.

(Effective August 28, 1980)

Sec. 23-61a-4. Renewal

(a) Renewals of license shall be issued for a period of five years unless sooner suspended or revoked. The expiration date of each license shall be clearly displayed on the face of said license.

(b) At least thirty days before the date of expiration of a license, the department shall mail a notice of expiration and a renewal application to each licensee. If a signed renewal application accompanied by the statutory renewal fee has not been received by the department on or before midnight of the expiration date, or if the expiration date is Saturday, Sunday, or a legal holiday, on or before midnight of the next working day following, the license automatically lapses. Failure of a licensee to receive a notice of expiration and renewal application shall not prevent lapse of license.

(c) The holder of a license lapsed less than one year may renew that license upon submission of a signed renewal application and payment of the statutory renewal fee. The holder of a license lapsed more than one year shall be examined in accordance with section 23-61a-2 of the Regulations of Connecticut State Agencies and licensed in accordance with section 23-61a-3 of the Regulations of Connecticut State Agencies.

(Effective February 25, 1985)

Sec. 23-61a-5. Complaints and investigations

All complaints shall be forwarded to the commissioner of consumer protection for investigation under the uniform rules of procedure concerning boards and commissions within the jurisdiction of the department of consumer protection, as contained in sections 21a-9-1 through 21a-9-11, inclusive, of the Regulations of Connecticut State Agencies.

(Effective February 25, 1985)

Sec. 23-61a-6. Hearings, suspension and revocation

(a) The Board shall hold such hearings as necessary to decide on suspension or revocation of license or the issuance of an order of immediate discontinuance pursuant to section 21a-7 of the general statutes. Notice shall be given and hearings shall be conducted in accordance with Chapter 54 of the general statutes and the Uniform Rules of Procedure established by the Commissioner of Consumer Protection pursuant to section 21a-9 of the general statutes, as contained in sections 21a-9-1 through 21a-9-11, inclusive, of the Regulations of Connecticut State Agencies.

(b) A license may be suspended or revoked with the consent of a majority of the members of the board if the licensee is found to have done any of the following;

(1) Violating any provision of sections 23-61a through 23-61d of the general statutes;

(2) Violating any provision of the regulations promulgated pursuant to section 23-61a of the general statutes;

(3) Engaging in substandard or improper workmanship; or

- (4) Engaging in fraudulent practices regarding work to be performed.
(Effective February 25, 1985)

Sec. 23-61a-7. Records and reports

(a) Each licensee or the senior licensed officer of an organization with more than one licensee shall report to the board on request, but not more than once yearly, the kinds and amounts of pesticides applied during the period covered by the report on forms provided by the board.

(b) Each individual, firm or corporation doing arboriculture in this state shall furnish the board upon request, but not more than once yearly, the maximum number of unlicensed personnel employed by such individual, firm, or corporation and actively engaged in arboriculture. In organizations with more than one licensee, the report shall include the maximum number of licensed personnel employed in supervisory duties.

(Effective March 31, 1978)

Sec. 23-61a-8. Petitions

(a) Any interested person may petition the commissioner of consumer protection requesting the promulgation, amendment or repeal of a regulation pursuant to section 4-174 of the general statutes and section 21a-1-12 of the Regulations of Connecticut State Agencies. Only written petitions shall be considered. The petition shall set forth clearly the reasons for its submission.

(b) Petitions for declaratory rulings on the applicability of any statutory provision of or any regulation promulgated pursuant to section 23-61a through 23-61d of the general statutes shall be submitted in writing to the board pursuant to section 4-176 of the general statutes. A copy of such request shall also be provided to the commissioner of consumer protection.

(Effective February 25, 1985)